

**BROADVOICE**  
**Legal Department**

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September 22, 2005

Marlene H. Dortch,  
Office of the Secretary  
Federal Communications Commission  
445 12th Street, SW,  
Washington, DC 20554.

**Re: WC Docket No. 05-196 Subscriber Notification Report for BroadVoice, Inc.**

Dear Ms.. Dortch:

Please accept the following as the Subscriber Notification report of BroadVoice Inc. ("BV") in the above stated docket.

Information Requested:

A detailed explanation regarding current compliance with the notice and warning sticker requirements *if* the provider did not notify and issue warning stickers or labels to 100% of its subscribers by the July 29, 2005 deadline. Providers expected to update this information include those that were in the process of providing notice and/or stickers to their subscribers, but had not completed the process by July 29, 2005.

Response:

BV has attempted to notify all subscribers that BV does not currently support E911 or 911 dialing from our service. Notification emails that included an active acknowledgement link have been sent to the existing subscriber base on three occasions. Additionally, BV has inserted into its sign-up process a user acknowledgement that new subscribers must acknowledge prior to the account being provisioned and activated. BV also utilizes the customer portal for active acknowledgement of E911 and 911 capabilities. Any customer that has not acknowledged the E911 statement when logging into their portal is presented with the notice and an acknowledgement link.

BV has received its stickers from the printer. They will be mailed to each BV customer by September 28, 2005.

Information Requested:

A quantification of the percentage of the provider's subscribers that have submitted affirmative acknowledgements as of the date of the September 1 and September 22 reports, and an estimation of the percentage of subscribers from whom the provider does not expect to receive an acknowledgement by September 28, 2005.

Response:

BV has received affirmative acknowledgments from 88% of its customers. BV expects that no more than 5% of its customers will fail to give affirmative acknowledgement by September 28, 2005.

Information Requested:

A detailed description of any and all actions the provider plans to take towards any of its subscribers that do not affirmatively acknowledge having received and understood the advisory.

Response:

BV will implement an interactive voice response ("IVR") intercept to all customers that have not affirmatively acknowledged the advisory. BV is also continuing to send emails to customers requesting they visit their web portal to acknowledge the advisory.

Information Requested:

A detailed description of any and all plans to use a "soft" or "warm" disconnect (or similar) procedure for subscribers that fail to provide an affirmative acknowledgement by September 28, 2005. The Bureau notes that in their August 10, 2005 reports some providers, such as Telephone, Inc. and Broadview Networks, Inc., state that they will use a "soft" disconnect procedure to disconnect those subscribers that ultimately do not acknowledge having received and understood the customer advisory. As the Bureau understands it, the soft disconnect procedure will either disallow all non-911 calls or intercept and send those calls to the provider's customer service department. Under this "soft" disconnect procedure, however, calls to 911 will continue to go to the appropriate Public Safety Answering Point (PSAP). A provider's September 1 and September 22 reports must include either a statement that the provider will use a "soft" or "warm" disconnect (or similar) solution as of September 28, 2005, or a detailed explanation of why it is not feasible for the provider to use a "soft" or "warm" disconnect solution, as described above.

Response:

BV's soft disconnect procedure will be to route any calls from customers who have not acknowledged the advisory to an IVR. This IVR will provide further information about the advisory and an option to acknowledge. Since all calls will be routed to this IVR until an acknowledgement is received, all 911 calls placed during this soft disconnect period will be routed to the IVR, not to a PSAP.

Thank you for your attention this matter.

Sincerely,

William J. Rooney, Jr.

CC: Gene Cornfield